

**FAX TRANSMISSION**

DATE: October 28, 2003

PTO IDENTIFIER: Application Number 09/538,864  
Patent Number

Inventor: Myeong-Je CHO et al.

MESSAGE TO: J. Switzer

FAX NUMBER: (703) 872-9307

**OFFICIAL**

FROM: MORRISON &amp; FOERSTER LLP

Otis Littlefield

PHONE: (415) 268-6846

Attorney Dkt. #: 416272001300

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## CONTENTS:

1. Transmittal (1 page)
2. Fee Transmittal (in duplicate)
3. Petition for Extension of Time (1 page)
4. Notice of Appeal (1 page)
5. Amendment Under 37 CFR 1.116 (14 pages)

**AFTER FINAL RESPONSE AND NOTICE OF APPEAL ATTACHED**

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PTO/SB/21 (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

		Application Number	09/538,864
		Filing Date	March 29, 2000
		First Named Inventor	Myeong-Je CHO
		Art Unit	1634
		Examiner Name	J. Switzer
Total Number of Pages in This Submission	19	Attorney Docket Number	416272001300

### ENCLOSURES (Check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form (In duplicate)  <input type="checkbox"/> Fee Attached  <input checked="" type="checkbox"/> Amendment/Reply (14 pages)  <input checked="" type="checkbox"/> After Final  <input type="checkbox"/> Affidavits/declaration(s)  <input checked="" type="checkbox"/> Extension of Time Request (1 page)  <input type="checkbox"/> Express Abandonment Request  <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s)  <input type="checkbox"/> Response to Missing Parts/ Incomplete Application  <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s)  <input type="checkbox"/> Licensing-related Papers  <input type="checkbox"/> Petition  <input type="checkbox"/> Petition to Convert to a Provisional Application  <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address  <input type="checkbox"/> Terminal Disclaimer  <input type="checkbox"/> Request for Refund  <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group  <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences  <input checked="" type="checkbox"/> Appeal Communication to Group (1 page) (Appeal Notice, Brief, Reply Brief)  <input type="checkbox"/> Proprietary Information  <input type="checkbox"/> Status Letter  <input type="checkbox"/> Other Enclosure(s) (please identify below):
<b>Remarks</b>  Sent Facsimile (Facsimile Coversheet not counted in this submission)		

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	MORRISON & FOERSTER LLP Otis Littlefield - 48,751
Signature	
Date	October 28, 2003

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Dated: October 28, 2003Signature: Valerie Cohen (Valerie Cohen)

OCT. 28. 2003 12:27PM VOFO 28TH FL

NO. 522 P. 3

Use in lieu of PTO/88-17 (08-03)  
(Form updated to reflect FY 2004 fees effective 10/1/03)

<b>FEE TRANSMITTAL for FY 2004</b>																																																																																																																																																																	
Effective 10/01/2003, Patent fees are subject to annual revision.																																																																																																																																																																	
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Deposit Account Number <b>03-1952</b>  Deposit Account Name <b>Morrison &amp; Foerster LLP</b>  The Director is authorized to: (check all that apply) <input checked="" type="checkbox"/> Charge fee(s) indicated below <input checked="" type="checkbox"/> Credit any overpayments <input checked="" type="checkbox"/> Charge any additional fee(s) during the pendency of this application <input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.		<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Large Entity Fee Code (S)</th> <th style="text-align: left;">Small Entity Fee Code (S)</th> <th colspan="2" style="text-align: center;">Fee Description</th> <th style="text-align: right;">Fee Paid</th> </tr> </thead> <tbody> <tr><td>1051</td><td>130</td><td>2051</td><td>65</td><td>Burcharge - late filing fee or cash</td></tr> <tr><td>1052</td><td>50</td><td>2052</td><td>25</td><td>Burcharge - 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unavoidable</td></tr> <tr><td>1458</td><td>1,300</td><td>2458</td><td>665</td><td>Petition to revive - unintentional</td></tr> <tr><td>1501</td><td>1,330</td><td>2501</td><td>665</td><td>Utility issue fee (or reissue)</td></tr> <tr><td>1502</td><td>480</td><td>2502</td><td>240</td><td>Design issue fee</td></tr> <tr><td>1503</td><td>640</td><td>2803</td><td>320</td><td>Plant issue fee</td></tr> <tr><td>1480</td><td>130</td><td>1480</td><td>130</td><td>Petitions to the Commissioner</td></tr> <tr><td>1807</td><td>50</td><td>1807</td><td>50</td><td>Processing fee under 37 CFR 1.17(q)</td></tr> <tr><td>1808</td><td>180</td><td>1808</td><td>180</td><td>Submission of Information Disclosure Stmt</td></tr> <tr><td>8021</td><td>40</td><td>8021</td><td>40</td><td>Recording each patent assignment per property (times number of properties)</td></tr> <tr><td>1809</td><td>770</td><td>2809</td><td>388</td><td>Filing a submission after final rejection (37 CFR 1.128(a))</td></tr> <tr><td>1810</td><td>770</td><td>2810</td><td>388</td><td>For each additional invention to be examined (37 CFR 1.128(b))</td></tr> <tr><td>1801</td><td>770</td><td>2801</td><td>385</td><td>Request for Continued Examination (RCE)</td></tr> <tr><td>1802</td><td>900</td><td>1902</td><td>900</td><td>Request for expedited examination of a design application</td></tr> <tr><td colspan="4">Other fee (specify) _____</td><td style="text-align: right;">SUBTOTAL (3) (S) 640.00</td></tr> <tr> <td colspan="4" style="text-align: center;">*Reduced by Basic Filing Fee Paid</td> <td colspan="2"></td> </tr> </tbody> </table>				Large Entity Fee Code (S)	Small Entity Fee Code (S)	Fee Description		Fee Paid	1051	130	2051	65	Burcharge - 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Name (Print/Type)	Otis Littlefield	Registration No. (Attorney/Agent)	48,751	Telephone	(415) 288-6846																																																																																																																																																												
Signature	<i>Otis Littlefield</i>			Date	October 28, 2003																																																																																																																																																												

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Dated: October 28, 2003

Signature: *Valerie Cohen* (Valerie Cohen)

sf-1590012

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<b>PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)</b>		Docket No. (Optional) 416272001300										
<p>In re Application of Myeong-Je CHO et al.</p> <table border="1"> <tr> <td>Application Number 09/538,884</td> <td>Filed March 29, 2000</td> </tr> <tr> <td colspan="2">For: VALUE-ADDED TRAITS IN GRAIN AND SEED TRANSFORMED WITH THIOREDOXIN</td> </tr> <tr> <td>Art Unit 1634</td> <td>Examiner J. Switzer</td> </tr> </table>			Application Number 09/538,884	Filed March 29, 2000	For: VALUE-ADDED TRAITS IN GRAIN AND SEED TRANSFORMED WITH THIOREDOXIN		Art Unit 1634	Examiner J. Switzer				
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For: VALUE-ADDED TRAITS IN GRAIN AND SEED TRANSFORMED WITH THIOREDOXIN												
Art Unit 1634	Examiner J. Switzer											
<p>This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above identified application.</p> <p>The requested extension and appropriate non-small-entity fee are as follows (check time period desired):</p> <table> <tr> <td><input type="checkbox"/> One month (37 CFR 1.17(a)(1))</td> <td>\$ _____</td> </tr> <tr> <td><input type="checkbox"/> Two months (37 CFR 1.17(a)(2))</td> <td>\$ _____</td> </tr> <tr> <td><input checked="" type="checkbox"/> Three months (37 CFR 1.17(a)(3))</td> <td>\$ 950.00</td> </tr> <tr> <td><input type="checkbox"/> Four months (37 CFR 1.17(a)(4))</td> <td>\$ _____</td> </tr> <tr> <td><input type="checkbox"/> Five months (37 CFR 1.17(a)(5))</td> <td>\$ _____</td> </tr> </table> <p><input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee amount shown above is reduced by one-half, and the resulting fee is: <u>\$475.00</u>.</p> <p><input type="checkbox"/> A check in the amount of the fee is enclosed.</p> <p><input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.</p> <p><input checked="" type="checkbox"/> The Director has already been authorized to charge fees in this application to a Deposit Account.</p> <p><input checked="" type="checkbox"/> The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number <u>03-1952</u>.</p> <p>I have enclosed a duplicate copy of this sheet.</p> <p>I am the <input type="checkbox"/> applicant/inventor.  <input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71.  Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).  <input type="checkbox"/> attorney or agent of record. Registration Number _____  <input checked="" type="checkbox"/> attorney or agent under 37 CFR 1.34(a).  Registration number if acting under 37 CFR 1.34(a) <u>48,751</u>.</p> <p><u>October 28, 2003</u>  Date</p> <p><u>(415) 268-6848</u>  Telephone Number</p> <p>NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below</p> <p><input type="checkbox"/> Total of <u>1</u> forms are submitted.</p>			<input type="checkbox"/> One month (37 CFR 1.17(a)(1))	\$ _____	<input type="checkbox"/> Two months (37 CFR 1.17(a)(2))	\$ _____	<input checked="" type="checkbox"/> Three months (37 CFR 1.17(a)(3))	\$ 950.00	<input type="checkbox"/> Four months (37 CFR 1.17(a)(4))	\$ _____	<input type="checkbox"/> Five months (37 CFR 1.17(a)(5))	\$ _____
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Dated: October 28, 2003Signature: Valerie Cohen (Valerie Cohen)